

## CHAPTER TEN

### EMPLOYER SUPPORT

#### **National Committee for Employer Support of the Guard and Reserve**

The National Committee for Employer Support of the Guard and Reserve (NCESGR), an agency within the Office of the Assistant Secretary of Defense for Reserve Affairs, was established in 1972 to promote cooperation and understanding between Reserve component members and their civilian employers and to assist in the resolution of conflicts arising from an employee's military commitment. Today NCESGR operates through a network of more than 4,500 volunteers throughout 55 committees located in each state, commonwealth, territory, and the District of Columbia.

The reality of today's post-Cold War environment is that the Nation's Ready Reserve components now comprise approximately 52 percent of our total available military manpower, excluding retirees. The current national defense strategy indicates the National Guard and Reserve, while decreasing in size, will continue to be full partners in success stories like the Gulf War, where Active and Reserve components joined together in a cohesive team that executed a massive deployment halfway around the globe and, with coalition forces, waged and quickly won a war with minimal casualties.

As full partners in the Total Force concept, our Reserve forces will spend more time away from the workplace defending the Nation and training to ensure they maintain their mission readiness.

Key to the success of the Reserve components is America's employers. Because they need to be fully cognizant of the criticality of the Reserve components and fully supportive of membership in the National Guard and Reserve, the Assistant Secretary of Defense for Reserve Affairs directed NCESGR to perform an overall assessment of its programs. The result of that assessment was the development of a new strategy, "Strength in Partnership," designed to ensure a win/win outcome for America's Reserve forces and America's employers.

The "Strength in Partnership" strategy stresses the importance of the employer and/or supervisor, the military chain of command, and the National Guard or Reserve member to achieve a sense of partnership. As a result of the assessment, NCESGR developed pro-active initiatives to extend and improve existing programs. These include increased efforts to publish recurring articles in military publications, to develop new publications providing information and assistance, and to expand the role of personnel involved in family support and recruitment and/or retention in local Employer Support of the Guard and Reserve (ESGR) committees. NCESGR also implemented new programs designed to expand the reach of the committees and improve communications with its partners. All NCESGR programs now emphasize the criticality of this partnership for a strong and flexible Reserve force.

## Programs include:

- . Bosslifts. Bosslifts provide employers the opportunity to visit National Guard and Reserve training sites and observe military activities of their **Reservist**-employees. Many employers do not have an understanding of the military tasks required of their **Reservist**-employees when they are away from the workplace. Bosslifts provide an opportunity to increase employer awareness and appreciation of Reservist's military responsibilities.
- . Mission One. Mission One's goal is to provide a dedicated, trained volunteer at every National Guard and Reserve training site nationwide. The purpose is to extend the grassroots effort to National Guard and Reserve communities; provide information about ESGR services and programs directly to unit members; and gain knowledge about local employment policies. During this past year, NCESGR placed renewed emphasis on the Mission One program to ensure Reservists received information on new legislation and other programs and services offered by NCESGR.
- . Breakfast with the Boss. Breakfast with the Boss, a program initiated in mid-1994, brings together the employer and/or supervisor, local military leaders, and local ESGR members in a **business**-style meeting to provide information and discuss employer and Reservist issues. The goal is open and honest communication among employers and/or supervisors and military leaders about the participation of Reservists in military training, overseas contingencies, and domestic emergencies.
- . Employer Action Council (EAC). The EAC provides the feedback NCESGR needs for Department of Defense leaders. Through the council, composed of leaders in the business community and select state chairs, the EAC articulates employer concerns and perceptions on specific issues and makes recommendations on how the military can better explain its missions and policies to employers and the general public. NCESGR conducted the **first** EAC meeting in **March** 1995, in Washington D.C. Issues addressed included: changing roles and missions of the National Guard and Reserve; increased volunteerism, accessibility; and possible employer incentives.
- . National Public Service Advertising Program. NCESGR works closely with The Advertising Council, Inc., and Ross Roy Advertising to produce a public service advertising campaign. NCESGR'S advertisements stress the growing role of the National Guard and Reserve in promoting the national interest and the benefits of employing individuals who are members of the National Guard and Reserve. The 1995 theme of "Be a hero, give your employees the freedom to protect ours," focuses on the fact that because the National Guard and Reserve comprise a major portion of the country's Armed Forces, employer support is critical to training, preparedness, and deployment of those forces. This multimedia campaign is directed toward TV, radio, print publications, billboards, and bus shelters.

## **Additional Public Affairs Programs include:**

- . Media Tour. To augment and synergize public service advertising, NCESGR, in partnership with the state committees, began a media tour targeted at twelve major markets nationwide to gain audience awareness of the importance of the National Guard and Reserve to our Nation's defense and increase employer support.
- "The ESGRam." This bimonthly publication provides official and professional information to the state committees, Reserve leadership, public affairs officers, and others with a "need to know" on matters relating to NCESGR programs. The newsletter creates understanding among Reserve component commanders concerning the goals and objectives of the ESGR effort.
- Public Affairs "Outreach." NCESGR public affairs reaches other Reserve public affairs officers to ensure an open flow of communication with the public affairs community and provide positive outlets for NCESGR information through Reserve publications.
- The Statement of Support (SOS). The SOS allows the employer or supervisor to show visible support of his/her National Guard and Reserve employees. The SOS certificate is signed by the Secretary of Defense and countersigned by the employer. A further expansion of the program occurs when public officials, mayors, governors, and the like, sign the certificate to highlight the importance of the commitment to America's Reserve forces.

## **Recognition Program**

NCESGR'S recognition program includes an extensive awards program to recognize employers, volunteers, and others who provide support to National Guard and Reserve members and units. The most prestigious award presented annually on behalf of the Secretary of Defense is the PRO PATRIA. Each state committee may nominate only one employer for a PRO PATRIA per year.

Other awards include: the State Chair's award for supportive employers; the 7-Seals award, a multipurpose award generally used to show appreciation to an individual or organization for support rendered to a state committee; and the "My Boss is a Patriot" certificate of appreciation (with a lapel pin). The "My Boss is a Patriot" award is considered the backbone of the awards program because individual National Guard and Reserve members nominate their employers for special recognition and those receiving the award are then eligible for higher recognition. During 1995, NCESGR processed more than 6,000 "My Boss is a Patriot" awards.

## **Ombudsman Program**

Perhaps one of the most important pieces of legislation for Reservists and their employers in recent years was signed into law on October 13, 1994, and became fully effective December 12, 1994. The Uniformed Services Employment and Reemployment Rights Act (USERRA), an amendment to Title 38 U. S. C., clarifies and strengthens the previous law, the Veterans' Reemployment Rights (VRR) by:

- . expanding coverage to specifically include the Public Health

Service, the Coast Guard, and other categories designated by the President in time of war or emergency;

- placing a 5-year limit (previous limit was four years) on the cumulative length of time a person may serve in military service and remain eligible for reemployment rights with the preservice employer;

- . requiring an individual to give advance written or verbal notice to their employer prior to departure for military service;

- . establishing time limits for reporting back to work, based on the length of time in the uniformed service, rather than on the type of service, and requiring documentation of such service, if available;

- . providing for the continuation of employer provided health insurance at the service member's request for an 18-month period, with payment of 100 percent of the full premium by the service member;

- requiring a service member's service not be considered a break in employment for pension benefit purposes, and providing that the person's service shall be protected for vesting and benefit accrual purposes; and

- . providing that the U.S. Department of Labor's Veterans' Employment and Training Service (VETS) will assist all employees including federal government workers. Additionally, VETS will

formally investigate complaints filed by employees of the federal executive branch. (Previously, VETS did not provide formal assistance to federal employees.)

The purpose of reemployment rights legislation is to ensure members of the uniformed service on completion of their service are entitled to return to their civilian employment. They will be reinstated with the seniority, status, and rate of pay they would have attained, if they had remained continuously employed with their civilian employer. The law also protects individuals against discrimination in hiring, promotion, and retention on the basis of present and future membership in the uniformed service.

The National Ombudsman, through a toll-free hotline, provides information, informal mediation, and referral service to resolve employer conflicts. NCESGR is not an enforcement agency and does not offer legal counsel or advice; however, many employer-employee conflicts can be resolved at lower levels, without referral to the Department of Labor. In 1995, ombudsmen received 3,446 calls, the preponderance of which were requests for information.

### **The USERRA Outreach Program**

The Secretaries of Labor, Defense, and Veterans' Affairs have been directed under the law to conduct an outreach program to inform individuals protected under USERRA of their rights and benefits. NCESGR, through its Ombudsman and Mission One programs, plays a key role in informing the public of the new statute. The National Ombudsman also provided a briefing for all Services' Judge Advocate

Corps communities to afford additional support to Reservists in need of assistance.